

WHITE
35483-080601



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 6, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (Council Member Harris arrived late.)

A. BRIEFINGS:

1. Briefing with regard to amending the City's Fee Compendium to provide for revised fees for use of City park facilities and services.
File #67-289

B. REQUESTS FOR CLOSED SESSION:

1. A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a specific legal matter requiring the provision of legal advice by such counsel, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.
(Approved 6-0)
File #83-132
2. A communication from the City Manager requesting a Closed Meeting to discuss disposition of real property, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended.
(Approved 6-0)
File #2-132
3. A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.
(Approved 6-0)
File #83-132
4. A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for a public purpose where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended.
(Approved 6-0)
File #2-132
5. A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.
(Approved 6-0)
File #110-132

THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS AT 12:20 P.M., TO BE RECONVENED AT 12:25 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR A BRIEFING WITH REGARD TO AMENDING THE CITY'S FEE COMPENDIUM TO PROVIDE FOR REVISED FEES FOR USE OF CITY PARK FACILITIES AND SERVICES.

AT 1:35 P.M. THE MEETING WAS DECLARED IN RECESS FOR FIVE CLOSED SESSIONS.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***AUGUST 6, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (All present.)

The Invocation was delivered by The Reverend William Joseph Greene, Pastor, Preston Oaks Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, August 9, 2001, at 7:00 p.m., and Saturday, August 11, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A resolution paying tribute to the National D-Day Memorial Foundation.

Adopted Resolution No. 35483-080601. (7-0)

File #80-546

The Mayor introduced Dr. Robert Sandel, President, Virginia Western Community College.

File #467

PUBLIC HEARINGS:

1. Public hearing on the request of Southside Development Company that a parcel of land containing 4.05 acres, more or less, situate at the southeast terminus of Bean Street, N. W., identified as Official Tax No. 2280601, be rezoned from C-1, Office District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner. Edward A. Natt, Attorney.

Adopted Ordinance No. 35484-080601. (6-1, Council Member Bestpitch voted no.)

File #51

2. Public hearing on the request of the City of Roanoke to lease City-owned property consisting of a 7.2-acre portion of Official Tax No. 1570101, located at 3379 Colonial Avenue, S. W., to the New Vista Montessori School for an initial term of one year, with the option to extend the lease for up to four additional one-year terms. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 35485-080601. (7-0)

File #166-373-467

2.

CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of the Roanoke City Council held on Monday, July 2, 2001; and the Third Leadership Summit held on Thursday, July 12, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the City Manager recommending that the City Clerk be authorized to advertise a public hearing for Monday, August 20, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider entering into a sale agreement with Carilion Health Systems for purchase of property on Colonial Avenue, S. W.

File #166-373-221

RECOMMENDED ACTION: Concur in recommendation.

- C-3 A communication from the City Manager recommending that a public hearing be scheduled to amend the City Code to prohibit goats and sheep as household pets in residential areas.

RECOMMENDED ACTION: Concur in recommendation.

File #54-24-66

- C-4 A communication from Bruce L. Robinson tendering his resignation as a member of the Fair Housing Board.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #178

- C-5 Qualification of Will Trinkle as a member of the Roanoke Arts Commission for a term ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.
File #230

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Request to address Council with regard to a late charge that was attached to his water bill for property located at 4334 Camilla Avenue, N. W., and a \$70.00 emergency medical services fee. Herbert Consider, Spokesperson.
No action taken.
File #66-468-354

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, recommending acceptance of a grant made to the City by the Commonwealth of Virginia Department of Criminal Justice Services for a Victim/Witness Assistance Program; and a communication from the City Manager concurring in the recommendation.

Adopted Budget Ordinance No. 35486-080601 and Resolution No. 35487-080601. (7-0)
File #60-133-236-502

- b. A communication from the Roanoke City School Board requesting appropriation of funds for the Reading Excellence Act grant for Hurt Park Elementary School and Fallon Park Elementary School; and a report of the Director of Finance recommending that Council concur in the request.

Adopted Budget Ordinance No. 35488-080601. (7-0)
File #60-467

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A joint communication from the City Manager and the Director of Finance recommending issuance of \$31,245,000.00 general obligation bonds, pursuant to the Public Finance Act of 1991, Code of Virginia (1950), as amended.

**Adopted Resolution No. 35489-080601. (6-1, Council Member Hudson voted no.)
File #53**

2. A communication recommending execution of a lease agreement with Blue Eagle Partnership for use of office space for human service agencies at 1502 Williamson Road, N. W.

**Adopted Ordinance No. 35490-080601. (6-0, Council Member Hudson abstained from voting.)
File #72-373**

3. A communication recommending execution of Amendment No. 1 to the Subgrant Agreement dated September 26, 2000, between the City of Roanoke and the Northwest Neighborhood Environmental Organization, for additional funding to develop the McCray Court Senior Living Project, in the amount of \$277,750.00.

**Adopted Resolution No. 35491-080601. (7-0)
File #165-178-236**

4. A communication recommending acceptance of the bid of Cargill, Inc., Salt Division, for deicing salt, in the total amount of \$101,925.00.

Adopted Resolution No. 35492-080601. (7-0)
File #183-410

5. A communication recommending execution of a Management Agreement between the City of Roanoke and Downtown Roanoke, Inc., to manage curbage spaces in the City Market, and designating a portion of curbage fees for promotion of the Farmer's Market.

Adopted Budget Ordinance No. 35493-080601 and Resolution No. 35494-080601. (7-0)
File #42-277

6. A communication recommending acceptance of "pass-through" funding from a two-year contract with the Commonwealth of Virginia, Department of Emergency Management, in connection with participation in the Regional Hazardous Materials Response Team, in the amount of \$15,000.00; and appropriation of funds.

Adopted Budget Ordinance No. 35495-080601 and Resolution No. 35496-080601. (7-0)
File #60-188

7. A communication recommending execution of the 2001-2002 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority.

Adopted Resolution No. 35497-080601. (7-0)
File #178-200-236

8. A communication recommending purchase of property located at 2565 Beverly Boulevard, S. W., demolition of the structure, and closing of the Garden City Hazard Mitigation Grant Program grant, in accordance with requirements of the Federal Emergency Management Agency.

Adopted Ordinance No. 35498-080601. (7-0)
File #2-236-237

9. A communication recommending acquisition of certain property rights needed by the City for the Barnhart Street Drainage Improvement Project.

Adopted Ordinance No. 35499-080601. (7-0)
File #2-468

10. A communication recommending acceptance of Juvenile Justice and Delinquency Prevention Title II grant funds from the United States Department of Criminal Justice Services for the City's Sanctuary Crisis Intervention Aggression Replacement Training and Education Program, in the amount of \$52,714.00; and appropriation and transfer of funds.

Adopted Budget Ordinance No. 35500-080601 and Resolution No. 35501-080601. (7-0)
File #60-236-305

11. A communication recommending execution of an agreement with the Roanoke Valley Convention and Visitors Bureau for the purpose of increasing tourism in the Roanoke Valley for fiscal year 2001-02.

Adopted Budget Ordinance No. 35502-080601 and Resolution No. 35503-080601. (7-0)
File #60-293-336

12. A communication recommending issuance of Change Order No. 1 to the contract with Adams Construction Company to repave additional streets within the City of Roanoke, in the amount of \$150,685.00; and appropriation of funds.

Adopted Ordinance No. 35504-080601. (7-0)
File #60-183-514

13. A communication recommending amendment to the Erosion and Sediment Control Ordinance, to require identification of the person responsible for carrying out a land disturbing activity.

Adopted Ordinance No. 35505-080601. (7-0)
File #24-356

14. A communication in connection with transfer of City property and execution of a Performance Agreement for the Times-World Corporation expansion project.

Adopted Budget Ordinance No. 35506-080601 and Ordinance Nos. 35507-080601 and 35508-080601. (7-0)
File #2-166-207-227

15. A communication recommending execution of a contract with Manathron, Inc., to provide appraisal software and training for the Office of Real Estate Valuation, in the amount of \$119,635.00; and appropriation of funds.

Adopted Resolution No. 35509-080601. (7-0)
File #162-472

16. A communication recommending ratification of a contract with Evan Corporation for emergency improvements to correct fall protection system problems at the Roanoke Civic Center Coliseum, in an amount not to exceed \$140,000.00; and appropriation of funds.

Adopted Budget Ordinance No. 35510-080601 and Ordinance No. 35511-080601. (7-0)
File #60-192-472

b. CITY CLERK:

1. A report requesting the concurrence of Council in the appointment of Sheila N. Hartman, as Assistant Deputy City Clerk, effective August 7, 2001.

Adopted Resolution No. 35512-080601. (7-0)
File #38-184

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS:

- a. A communication from the City Manager with regard to performing Third Party Administrator functions by Landin, Inc., for Workers' Compensation for the City of Roanoke, in the amount of \$40,000.00 per annum. (The matter was tabled at the July 16, 2001 meeting of Council.)

Adopted Resolution No. 35513-080601. (7-0)
File #63-184

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Vice-Mayor Carder suggested that the matter of outside dining in the Century Park area; i. e.: street side vendors/dining, be referred to the City Manager for report to Council.
File #67-277

Vice-Mayor Carder addressed the need to establish the City of Roanoke/Roanoke Valley region in terms of identity; i. e.: what is the perception of the City of Roanoke/Roanoke Valley by non-Roanoke Valley citizens. He suggested that the services of a public relations firm be engaged to help establish city/regional identity and requested that the matter be referred to the City Manager for report to Council.

File #547

Council Member Hudson called attention to the number of telephone calls he has received from citizens complaining about curbside refuse collection and spoke in support of returning to alley collection.

File #144-66

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke against curbside refuse collection. She expressed concern regarding the policy of the City which requires physically challenged citizens who are unable to roll their containers to the curb to obtain a certificate from their physician. She requested that the City return to the pre July 1 policy for refuse collection.
File #66-144

THE MEETING WAS DECLARED IN RECESS FOR THREE CLOSED SESSIONS.

CERTIFICATION OF CLOSED SESSION (6-0, Council Member Harris left the meeting during the closed session).

William X Parsons was appointed as a member of the Special Events Committee for a term ending June 30, 2002.

File #110-317